

REMARKS

Claims 1-13 are pending in the present application.

Claim allowance:

The Examiner allowed claims 1-11. Applicant thanks the Examiner for allowance of the claims.

Claim rejection under 35 USC §102 or §103:

Claims 12-13 have been rejected under 35 U.S.C. 102, as being anticipated or obvious over Tsuzuki et al.(US 6,018,198).


The Examiner states that Tsuzuki discloses all the limitations claim 12. The Examiner points further out that in contrast to allowed claim 1, claim 12 does not include the comparison of the determined slip value. Applicant amended claim 12 respectively. Independent Claims 12 now include the limitations of a control unit comprising means for comparing the difference (slip value) of the rotational speed of the first and second coupling elements with a reference value (reference value). This limitation is disclosed on page 6, paragraph 21 of the originally submitted specification. Thus, no new matter has been added. Applicant also believes that no new search will be necessary as this limitation is already part of claim 1 which, however, is a method claim. Tsuzuki et al. does neither mention nor suggest to compare a slip value with a reference value. Therefore, Applicant believes that claim 12 is now allowable. The dependent claim 13 includes all the limitations of the respective independent claim. Thus, this claim is patentable at least to the extent of the independent claim.

CONCLUSION

The application as defined in the pending claims is patentable under 35 U.S.C. §102 and §103 in view of the cited prior art. Therefore, applicants respectfully request withdrawal of the rejection and allowance of all pending claims.

Applicants do not believe that any other fees are due at this time; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to this document, the Commissioner is authorized to deduct the fees from Deposit Account No. 02-0383, (*formerly Baker & Botts, L.L.P.*) Order Number 070255.0605.

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